

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA : **STIPULATION AND ORDER**
- v. - : S2 19 Cr. 725 (JPO)
LEV PARNAS, :
: Defendant. :
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:
PUES FAMILY TRUST IRA, :
: Petitioner. :
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WHEREAS, on or about July 17, 2023, the Court entered a Preliminary Order of Forfeiture as to Substitute Assets (the “Order of Forfeiture”)(D.E. 358) forfeiting all right, title and interest of the defendant, Lev Parnas (the “Defendant”), in, *inter alia*, the following property:

- a. \$200,000 in United States currency posted by the Defendant in this criminal matter on or about December 6, 2019 and currently on deposit with the Clerk of Court (receipt number 465401249910)

(the “Subject Property”);

WHEREAS, the provisions of Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the intent of the United States to dispose of the Subject Property before the United States can have clear title to the Subject Property;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Subject Property was posted on an official government internet site (www.forfeiture.gov) beginning on June 24, 2023 for thirty (30) consecutive days, through January 24, 2023, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on September 27, 2023 (D.E. 363);

WHEREAS, on or about May 8, 2023, Pues Family Trust IRA (“Petitioner”) filed a verified petition with this Court asserting an interest in the Subject Property as a judgment creditor of Lev Parnas (the “Petition”) (D.E. 354); and

WHEREAS, the United States Attorney’s Office for the Southern District of New York and the Petitioner have agreed, in order to avoid litigation, to resolve the Petitioner’s interest in the Subject Property on the terms and conditions set forth below;

IT IS HEREBY STIPULATED AND AGREED, by and between Damian Williams, United States Attorney for the Southern District of New York, by and through Assistant United States Attorney Rebekah Donaleski, of counsel, and the Petitioner, by and through its counsel Tony Andre Esq., that:

1. The United States of America hereby recognizes the Petitioner’s interest in \$75,000 of the Subject Property (“Petitioner’s Share”) and hereby disclaims any right, title and interest in the Petitioner’s Share.

2. Upon entry of this Stipulation and Order, the Petitioner withdraws its Petition and any asserted interest with respect to the remaining \$125,000 of the Subject Property (the “Government’s Share”) and Petitioner will not contest Government’s forfeiture of the

Government's Share, and agrees that it will not file any further claim or a petition for remission or mitigation or otherwise contest the forfeiture of the Government's Share.

3. The Subject Property posted as bail is hereby exonerated and the Clerk of the Court shall disburse \$125,000 of the Subject Property to the United States Marshals Service and \$75,000 of the Subject Property to the Petitioner, Pues Family Trust IRA.

4. Upon entry of this Stipulation and Order, the United States Marshals Service (or its designee) is hereby authorized to take possession of the Government's Share and to keep it in its secure, custody and control.

5. Upon entry of this Stipulation and Order, the Petitioner shall contact the Clerk of the Court and provide them with the necessary information to process the disbursement of the Petitioner's Share.

6. This Stipulation and Order constitutes the complete agreement between the parties hereto on the matters contained herein, and no other statement, promise or agreement, either written or oral, made by either party or agents of either party, that is not contained in this written Stipulation and Order shall be enforceable. Any modifications to this agreement shall be in a writing signed by the parties.

7. The parties hereby waive all rights to appeal or to otherwise challenge or contest the validity of this Stipulation and Order.

8. Each party to this Stipulation and Order shall bear its own costs and attorney's fees. No attorney's fees associated with this settlement shall be authorized.

9. The Court shall have exclusive jurisdiction over the interpretation and enforcement of this Stipulation and Order.

10. The signature page of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. Signature pages may be by fax or scanned and such signatures shall be deemed as valid originals.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By:

Rebekah Donaleski
Rebekah Donaleski
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2423

9/27/23

DATE

PUES FAMILY TRUST IRA

By:

M

9/26/2023

DATE

By:

Tony Andre, Esq.
Tony Andre, Esq.
Counsel for Pues Family Trust
Andre Law Firm P.A.
1125 N.E. 125th St., Ste 113
North Miami, FL 33161

09/26/23

DATE

SO ORDERED:

J. PAUL OETKEN
J. PAUL OETKEN
United States District Judge

9/28/2023

DATE